

MINUTES

**Tuesday, April 24, 2018
Skyline Branch Public Library
7900 Paradise Valley Road
San Diego, CA 92139**

Members Present:

Doug Case, Chair
Brandon Hilpert, 2nd Vice Chair
Diana Dent
Reinaldo Galindo
Taura Gentry
Sheila Holtrop

Pieter O'Leary
Maria Nieto-Senour
Ernestine Smith
Richard Stanford
Nancy Vaughn
Pauline Theodore
Martin Workman

Members Absent:

Joe Craver, 1st Vice Chair
Mary O'Tousa

Prospective Members Present: N/A

Prospective Members Absent:

Greg Daunoras
Darwin Fishman
Jonathan Colby (LOA)

Staff Present:

Sharmaine Moseley, Executive Director, CRB
Todd Jarvis, Executive Assistant Chief, San Diego Police Department
Wes Morris, Captain, San Diego Police Department
Adam Sharki, Lieutenant, San Diego Police Department
Mark Bennett, Lieutenant, San Diego Police Department
Jessie Holt, Detective, San Diego Police Department

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- I. **CALL TO ORDER/WELCOME:** Chair Doug Case called the meeting to order at 6:05 p.m.

II. **PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES:**
Chair Doug Case explained the purpose of the Community Review Board on Police Practices (CRB) to those in attendance.

III. **APPROVAL OF MINUTES:** Motion was made by Nancy Vaughn and seconded by Pauline Theodore to approve the CRB minutes of March 27, 2018. Motion passed unanimously.

IV. **NON-AGENDA PUBLIC COMMENT:**

1. Mary Duty
2. Kate Yavenditti

V. **EDUCATIONAL TOPIC: SDPD Early Intervention System for Officer Behavior**

Presenters: SDPD Sgt. Daniel Meyer & Officer Sergio Zamora

Sgt. Daniel Meyer provided the Board with an overview of the Early Intervention System and how it works to track and identify officers who might need intervention. The system is not used to discipline the officers.

VI. **TOPIC: Proposed FY 2019 Communications Plan for the CRB**

Guest Speaker: Alma Rife – Senior Public Information Officer
City of SD Communications Department

Ms. Rife introduced herself to the Board. She referenced the FY19 plan in the meeting and described its contents. Ms. Rife described the various types of support that the Communications Department will provide to the CRB to increase transparency and visibility. The support will be inclusive but not limited to media support, drafting the CRB in Spanish, graphic design of the CRB's Annual Report, scheduling news appearances, and posting meeting onto City's Social Media platforms.

VII. **UNFINISHED BUSINESS (DISCUSSION/ACTION):** None

VIII. **NEW BUSINESS (DISCUSSION/ACTION)**

A. Election of Ad Hoc Nominating Committee Members

Nominees for the Nominating Committee Members

O'Leary	Galindo	Holtrop	Smith	Workman
Marty	Ernestine	Marty	Marty	Diana
Dick	Maria	Diana	Diana	Dick
Brandon	Nancy	Dick	Taura	Brandon
Sheila	Rey	Brandon	Pauline	Sheila

Maria		Sheila		Ernestine
Nancy		Ernestine		Taura
Rey		Taura		Pauline
		Maria		
		Nancy		
		Rey		
		Pauline		

The following nominees were elected to serve as members of the Ad Hoc Nominating Committee:

Sheila Holtrop (11 Votes)
Pieter O'Leary (7 Votes)
Marty Workman (7 Votes)

B. Work Plan FY19

Nancy Vaughn moved for the Board to approve the Work Plan for Fiscal Year 19 with a correction that the Nominating Committee is elected at the April open meeting. Taura Gentry second the motion. The motion passed with a vote of 11-0-1 with the Chair abstaining.

C. Reword the previous CRB Recommendation (Voted on at 11.28.17 Open Meeting)

“The CRB recommends that the SDPD establish a policy that would prohibit officers from viewing Body Worn Camera (BWC) videos except their own BWC video, prior to being interviewed by Internal Affairs.”

To the following wording, so it does not conflict with the CRB's recommendation on an officer reviewing their own BWC:

“The CRB recommends that the SDPD establish a policy that would prohibit officers from viewing surveillance videos or Body Worn Camera (BWC) videos of other officers prior to being interviewed by Internal Affairs.”

Nancy Vaughn moved to approve the recommendation. Pauline Theodore second the motion. The motion passed by a vote of 11-0-1 with the Chair abstaining.

IX. COMMITTEE REPORTS (DISCUSSION/ACTION)

A. Continuing Education Committee (Pieter O'Leary)

- i. Upcoming Education Topics/Guest Speakers: Chair Doug Case stated that Committee Chair Pieter O'Leary was not present to

discuss this item. Chair Case reported that Committee Chair O'Leary lined up a speaker for the May Open Meeting.

B. Outreach Committee (Taura Gentry)

- i. Monthly Calendar of Events/Outreach Opportunities- Committee Chair Gentry highlighted some of the upcoming events on the CRB's new calendar. She mentioned the CRB having a presence at this year's Unity Games, Juneteenth, and SDPD's Black Office event that will be recognizing past Black officers. Committee Chair Gentry also mentioned that she will be attending a Lamplighters Scholarship Luncheon. She encouraged CRB attendance at the meetings and events listed on the calendar.

C. Rules Committee (Brandon Hilpert)

- i. Case Review Turnaround Timelines Update: Committee Chair Brandon Hilpert stated that this new timeline is in effect. He asked if it's something that should be formalized. Executive Director Sharmaine Moseley responded that it should be formalized.
- ii. Audit of Category II Case: Committee Chair Hilpert reported that the Committee is working with the Chief and SDPD to formalize the auditing of Category II cases beginning with the new fiscal year on July 1, 2018.
- iii. Case Summaries for Publication: Committee Chair Hilpert reported that the Committee agreed for him to use his current case to draft an example to be forwarded to the CRB Chair/Executive Director, Outside Counsel, SDPD, IA, and the POA for feedback. After review, the Rules Committee will revise and re-recommend a path to publish summaries.
- iv. Develop New Bylaws: Committee Chair Hilpert reported that due to the passage of Measure G and the implementation of the ordinance, the CRB's Rules Committee will have to revise its Bylaws. The Rules Committee will be reviewing the Bylaws at its next meeting on May 1st at 9:30am.

D. Policy Committee (Joe Craver)

Chair Doug Case stated that Committee Chair is out of the country until this month. He explained that this was why the Policy Committee did not meet this month. He further stated

that the Committee will consider the Use of the Carotid Restraint item at its May meeting.

E. Recruitment & Retention Committee (Maria Nieto-Senour)

- i. Committee Chair Maria Nieto-Senour reported that the committee will be scheduling another meeting.

X. **CHAIR'S REPORT** (Chair Doug Case)

A. Status of Implementation of Measure G Ordinance

Chair Doug Case reported that the ordinance is being reviewed by City Attorney Staff and plan to go before Council in May.

B. Reporting of Hours – Reminded members to report their hours online so we have an accurate count of volunteer hours for this fiscal year ending June 30.

C. Update on Meeting with Police Chief and Police Officers Association – Topics included:

1. Sharing of all complaint information via access to a shared database, such as IAPRO or Sharepoint. Chief Nisleit concurred and will research the most efficient way of accomplishing this.
2. Online policies and procedures – Chief Nisleit is in the process of making this happen.
3. Case Information on CRB Website – This might require a meet and confer with the SDPD. We will be proceeding with a proposal.
4. CRB Policy Recommendations – We presented the memo with the policy recommendations made at the March 27 CRB meeting (re: reviewing an officer's own BWC prior to report writing or IA interview, creating a de-escalation policy, and changing search and seizure and unlawful detention complaints to Category 1. The Chief agreed to research each recommendation and respond in writing in a timely manner.
5. Future Meetings – The CRB Chair requested that we continue these meetings twice a year and the Chief suggested quarterly meetings.

D. Update on Meeting with Chair of Citizens Advisory Board on Police Community Relations – We discussed collaborative efforts with regard to policy recommendations, sharing of posted agendas on our respective websites, the SDPD recruitment process, and a possible joint forum between the CRB, CAB, and Gang Prevention and Intervention Commission.

- E. Report on the City Council 4/11 Rules Committee Meeting Re: Women Occupy Proposal – The proposal would create an independent commission with independent legal counsel, the power to subpoena civilian witnesses, the duty to independently investigate officer involved shootings and in-custody deaths, the power to independently investigate any complaint, the power to investigate sexual misconduct regardless of whether a complaint was filed, the power to hire investigators and policy analysts, and the power to make recommendations to the SDPD regarding discipline of individual officers. The City Council Rules Committee continued this item to their June 13 meeting and requested input from the Chief of Police, the POA and CRB members. The City Attorney has advised that the CRB cannot take a position on a proposed ballot measure but individual members can speak as individuals. Andrea St. Julian, primary author of the proposal, will be available at the CRB Rules Committee meeting on May 1 to answer questions regarding the proposal.

XI. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)

A. Caseload Update & Status of Case Reports

Today we started off with 11 active cases. Three of those cases were placed on our Closed Session Meeting agenda for review. At that meeting, all 3 of those cases were reviewed and closed out. As a result, the Teams now have a total of 8 active cases.

The CRB closed out a total of 38 cases for FY18. The breakdown of active cases are as follows:

Team 1 – 2 cases	Team 4 – 2 cases
Team 2 – 1 case	Team 5 – 2 cases
Team 3 – 0 cases	Team 7 – 1 case

- B. Community Events/Forums/Meetings – This report was given under the Outreach Committee item.

Summary Past Meetings/Trainings/Outreach all on calendar

SDPD Effective Interactions Training (4.3) ✓
“De-Escalation Role Playing Scenarios”

Pillars of the Community First Saturdays at the Spot (4.7) ✓

CRB Outreach Opportunity – Table & Chairs

SD Rules Committee Meeting Re: Women Occupy Ballot (4.11) ✓
Proposal

Community Assistance Support Team (CAST) Meeting (4.12) ✓

CRB & CAB Collaboration Meeting (ED & Chairs) ✓

BAPAC Hidden Figures Brunch (4.14) ✓

Executive Director Moseley reported that 1st Saturdays is coming up on May 5. This is an event where the CRB does a lot of outreach and is on the CRB calendar for members to attend. Ms. Moseley further reported that rather than having a table, it is more efficient for members to walk around and hand out brochures. CRB members were provided with a revised Upcoming Outreach Meetings/Trainings Calendar for upcoming meetings.

- C. Report to Council's Public Safety & Livable Neighborhoods Committee- Wednesday, April 25th at 9am 12 Floor, City Administration Building – Ms. Moseley reported that the CRB will provide the Committee with an update on process improvements, Work Plan from FY 18 and FY19, and case statistics. CRB members were encouraged to attend. The report and power point were emailed to the Board.
- D. NACOLE Scholarship Deadline May 1 – Encouraged members to fill out scholarship application if they want to attend and would like to be considered for financial assistance.
- E. CRB Website Updates – It was reported that the CRB's policy change accomplishments and new calendar list were added to the website.
- F. Other Items/Reminders (Notice of Intent) – Ms. Moseley reported that she received the notice of intent forms back from most of the members. The names of members who wish to be considered for reappointed on the CRB will be added to a list that would be forwarded to the Mayor's Office. The Mayor will also be soliciting a call for nominations. The City Council will be asked to submit names as well. Ms. Moseley informed the Board that the City's Director of Appointments will be invited to the Board's May Open Meeting to update the Board on the appointment process.

XII. SAN DIEGO POLICE DEPARTMENT REPORT (Executive Assistant Chief Todd Jarvis)

A. Status of CRB Recommendations – Executive Assistant Chief Todd Jarvis reported that Chief Nisleit would be responding to the following CRB recommendations in writing.

- Recommendation that SDPD require an officer writing a report in a use of force incident, not to view video prior to writing report & prior to being interviewed in in-custody death & officer-involved shooting cases. In addition, the officer should have the option of writing a supplemental report after viewing the BWC video.
- Recommendation for SDPD to adopt a de-escalation policy and use Baltimore's policy as a model
- Recommendation for SDPD to change unlawful detention & unlawful search and seizure complaints to Category I

B. Other Items – Executive Assistant Chief Jarvis stated the Chair Case covered all his items throughout the meeting.

XIII. **BOARD MEMBER RIDE-ALONG REPORTS: None**

XIV. **BOARD MEMBER ANNOUNCEMENTS/COMMENTS: None**

XV. **ADJOURNMENT: 8 p.m.**